

REMARKS

Claims 20, 22-27, 31, and 34-41 are pending; Claims 20 and 34 are independent claims. Claims 20 and 31 have been amended; Claims 34-41 have been added; Claims 10-19, 21, 28-30, 32, and 33 have been cancelled without prejudice. Claims 1-9 were previously cancelled without prejudice. Reexamination and reconsideration of the application, as amended, are hereby respectfully requested.

Interview Summary

A telephonic interview was conducted between Examiner Michael Ferguson and Applicants' Agent David Alavi on 12/01/2008 and 12/02/2008. Applicants thank Examiner Ferguson for courtesies extended during the interview and cooperation in trying to formulate claim language that properly defines the patentable subject matter disclosed in the application. A summary of the interview follows.

All pending claims of the application were rejected in an Office Action dated 09/25/2008. The action was made Final. The claims were rejected under 35 USC § 103(a) over Zakrzewski et al (US 6,732,991) in view of Frohlich (US 6,086,300).

Agent pointed out that the locks disclosed by Zakrzewski are intended to slide along the track even after being rotated to engaged the track and are held in place by other members snapped into the track. Agent asserted that modification of the locks of Zakrzewski to frictionally engage the track, according to the teachings of Frohlich or any other reference, would render it unsuitable for its intended purpose. No agreement was reached.

Examiner instead suggested that a more detailed "system" claim, including a recitation of a string of lights held in the track and details of the arrangement of the wire of the light string as it is held within the track by each lock, would be allowable over the prior art already cited. Such a claim would be acceptable to Applicants. Examiner noted, and Agent acknowledged, that additional searching would be required.

Although the specification as originally filed implies the use of multiple locks on a given light string, Agent suggested that the detailed system claim already agreed to need not explicitly recite multiple locks for allowability. (Note that such a claim would still encompass a system that includes multiple locks.) Examiner agreed that such a claim would be allowable over the references already cited, if it recited sufficient details

of the arrangement of the lock body and wire within the track, and again noted that additional searching would be required.

Agent asked whether an after-final amendment should be submitted to introduce the modified system claim, to avoid the possibility of a first-action final rejection after the planned request for continued examination. Examiner indicated he did not anticipate that such a first-action final rejection would be warranted under the circumstances. Accordingly, Applicants have dispensed with submission of an after-final amendment, relying on the Examiner's commitment not to make any rejection final after this request for continued examination. In the alternative, if the Examiner perceives any reason for a final rejection, Applicants respectfully request a telephone interview to discuss the matter before issuance of such an Office Action.

Rejections under 35 USC § 103 (as applied to previous claims)

Claims 10-33 before being amended stood rejected under 35 USC § 103(a) as being unpatentable over Zakrzewski et al (US 6,732,991) in view of Frohlich (US 6,086,300).

The rejections are overcome to the extent that Claims 20, 22-27, 31, and 34-41, as amended, patentably distinguish over Zakrzewski and Frohlich.

In particular, Zakrzewski and Frohlich, individually or collectively, do not disclose the arrangement recited in Claim 20, in which (i) the frictionally engaged body of the lock and an interior portion of the track form a circumscribed passage within the track, and (ii) a segment of the wire of the light string passes through the circumscribed passage and is retained within the track. There would be no reason to modify the lock of Zakrzewski to meet the additional limitations of Claim 20. Zakrzewski locks are intended to secure a cable or other support member to suspend the track and are not intended to secure a light string along or within the track.

The additional limitations presented by amendment here are supported in the application as originally filed. The disclosed snug fit of the body forms a circumscribed passage within the track between the body and the interior of the track. Such a circumscribed passage allows retention of the light string's wire within the track because the body, as shown and described, clearly leaves no opening or gap in the perimeter of the passage and therefore blocks any path by which the wire could move out of the track through the slot.

The frictionally engaged body can, but need not, press the retained wire against the interior of the track. If it does so press the wire, movement of the wire along the track would also be restrained. If the body does not press the wire against the interior of the track, the wire can move along the track while being retained within the circumscribed passage. However, either way, the lights of the string would not fit through the passage (or the slot), thereby preventing removal of the light string from the track. Claim 20 encompasses both alternatives discussed in this paragraph.

Claims 22-27 and 31 are dependent on Claim 20. Claim 34 is a method of use claim that includes limitations analogous to those of Claim 20. Claims 35-41 are dependent on Claim 34.

Conclusion

In view of the above, it is submitted that Claims 20, 22-27, 31, and 34-41 are in condition for allowance. Reconsideration of the rejections is respectfully requested. Allowance of Claims 20, 22-27, 31, and 34-41 at an early date is earnestly solicited.

Respectfully submitted,
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